

## **EXAMINER'S AMENDMENT**

### ***Response to Amendment***

1. The Declaration of All Inventors filed on 12/7/09 under 37 CFR 1.131 is sufficient to overcome the McBean et al. reference.

### **Examiner's Amendment**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a personal interview with Christopher Darrow on 12/11/09.

The application has been amended as follows:

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Claim 69 has been amended as shown:

Claim 69 (Currently Amended): A system for assisting neuromuscular function comprising:  
at least one EMG sensor for detecting self-actuation of a neuromuscular system;  
at least one joint position sensor for detecting self-actuation of a joint;  
at least one force sensor for measuring a parameter indicative of muscle resistance;  
a computer processor for implementing a protocol responsive when self-actuation or attempted self-actuation is detected by the at least one EMG sensor ~~but and~~ is not detected by the at least one joint position sensor; and

a motion causing device for assisting the at least one joint in movement, said motion causing device following the protocol implemented by the computer processor.

Claims 82 and 83 have been cancelled.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to JONATHAN ML FOREMAN whose telephone number is (571)272-4724. The examiner can normally be reached on Monday - Friday 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Max Hindenburg can be reached on (571)272-4726. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. M. F./  
Examiner, Art Unit 3736

/Max Hindenburg/

Application/Control Number: 10/727,212

Page 4

Art Unit: 3736

Supervisory Patent Examiner, Art Unit 3736